

MAR 07 2018

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY CLERK

**EUGENE MARTINEZ, DAVID SILVA,
MARIO OLIVAREZ, RUBY
MARTINEZ, AND SILVIA TREVINO,**

Plaintiffs,

vs.

**SUPERIOR HEALTHPLAN, INC. AND
CENTENE CORPORATION,**

Defendants.

NO. 5:16-CV-00870-XR

The Court has considered the parties' Third Joint Motion for Continuance and for good cause shown the Court finds that the Motion should be GRANTED. All deadlines in the Court's prior scheduling order are amended as follows: (docket # 51)

Written discovery requests are not timely if they are filed so close to this deadline that under the Federal Rules of Civil Procedure the response would not be due until after the deadline.

The deadline for the completion of all discovery is **June 15, 2018**.

The parties asserting claims for relief shall submit a written offer of settlement to opposing parties on or before **July 2, 2018**, and each opposing party shall respond, in writing on or before **July 16, 2018**.

All offers of settlement are to be private, not filed. The parties are ordered to retain the written offers of settlement and response as the Court will use these in assessing attorneys' fees and costs at the conclusion of the proceedings.

If a settlement is reached, the parties should immediately notify the Court so the case may be removed from the Court's trial docket.

PRETRIAL MOTIONS

No motion (other than a motion in *limine*) may be filed after this date except for good cause. The deadline to file motions (including dispositive motions and Daubert motions) is **July 2, 2018**. This deadline is also applicable to the filing of any summary judgment motion under Fed. R. Civ. P. 56 and any defense of qualified immunity. Leave of court is automatically given to file motions, responses, and replies not to exceed 30 pages in length.⁸ Fed. R. Civ. P. 6(d) does not apply to the time limits set forth in Local Rule CV-7 for responses and replies to motions.

JOINT PRETRIAL ORDER AND MOTION IN LIMINE

The deadline to file a Final Joint Pretrial Order and any motion in *limine* is **September 14, 2018**.

All attorneys are responsible for preparing the Final Joint Pretrial Order, which must contain the following:

- (1) a short statement identifying the Court's jurisdiction. If there is an unresolved jurisdictional question, state it;
- (2) a brief statement of the case, one that the judge could read to the jury panel for an introduction to the facts and parties;
- (3) a summary of the remaining claims and defenses of each party;
- (4) a list of facts all parties have reached agreement upon;
- (5) a list of contested issues of fact;
- (6) a list of the legal propositions that are not in dispute;
- (7) a list of contested issues of law;
- (8) a list of all exhibits expected to be offered. Counsel will make all exhibits available for examination by opposing counsel. All documentary exhibits must be exchanged before the final pre-trial conference. The exhibit list should clearly reflect whether a particular exhibit is objected to or whether there are no objections to the exhibit;
- (9) a list of the names and addresses of witnesses who may be called with a brief statement of the nature of their testimony;
- (10) an estimate of the length of trial;
- (11) for a jury trial, include (a) proposed questions for the voir dire examination, and (b) a proposed charge, including instructions, definitions, and special interrogatories, with authority;
- (12) for a nonjury trial, include (a) proposed findings of fact and (b) proposed conclusions of law, with authority;
- (13) the signatures of all attorneys; and
- (14) a place for the date and the signature of the presiding judge.

FINAL PRETRIAL CONFERENCE


The Final Pretrial Conference shall be held on **Thursday, September 20, 2018**
at 9:30 AM

Motions in *limine*, if any, will be heard on this date. Counsel should confer prior to this hearing on any issues raised in a motion in *limine* or the Joint Pretrial Order. Any party intending to use a demonstrative exhibit should provide the same to opposing counsel at least 3 days prior to the Final Pretrial conference so that if any objections or issues are raised about the demonstrative exhibit, they can be addressed at the final pretrial conference.

TRIAL

^{Jury}
The Trial Date is October 9, 2018 at 9:30 AM.

Signed this 7th day of March, 2018.



XAVIER RODRIGUEZ
U.S. DISTRICT JUDGE
WESTERN DISTRICT OF TEXAS